

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

GREATGIGZ SOLUTIONS, LLC,

Plaintiff,

v.

MAPLEBEAR INC. D/B/A INSTACART

Defendant.

Civil Action No: 6:20-cv-00737-ADA

PATENT CASE

JURY TRIAL DEMANDED

**DEFENDANT'S MOTION TO STAY CASE PENDING RESOLUTION OF
DEFENDANT'S MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM
AND IMPROPER VENUE, OR IN THE ALTERNATIVE,
TO TRANSFER TO THE NORTHERN DISTRICT OF CALIFORNIA**

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Attorneys for Defendant

Maplebear Inc. d/b/a Instacart

Defendant Maplegear Inc. d/b/a Instacart respectfully requests that this Court stay this case pending resolution of the Motion to Dismiss. Defendant's Motion to Dismiss was fully briefed on June 1, 2021. (*See* Dkt. No. 23.)

On July 14, 2021, the Court informed the parties that it "noticed that there were competing proposed scheduling orders with the Defendant's order suggesting stay until resolution of the MTD." (Ex. 1 (July 14, 2021 Email); *see also* Dkt No. 18.) The Court acknowledged the Court's "new standing order regarding venue related Motions that states that the Court will indeed stay cases until resolution of venue related motions." (Ex. 1; *see also* June 8, 2021 Amended Standing Order Regarding Motion for Inter-District Transfer.) The Court additionally advised Defendant "that the Court would like Defendant to file a Motion to Stay case pending resolution of the Motion to Transfer, since this is the Court's preferred method of staying cases as opposed to the proposed scheduling order that Defendant had submitted." (Ex. 1.)

Accordingly, pursuant to this Court's direction, the "new standing order regarding venue related Motions that states that the Court will indeed stay cases until resolution of venue related motions," and the reasons identified in Defendant's Proposed Scheduling Order (Dkt No. 18), Defendant files this Motion to Stay and respectfully requests that this Court stay this case pending resolution of the Motion to Dismiss (Dkt. Nos. 11, 22, 23).

Dated: July 15, 2021

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Lance Wyatt

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***Attorneys for Defendant
Maplebear Inc. d/b/a Instacart***

CERTIFICATE OF CONFERENCE

I hereby certify counsel for Defendant has conferred with counsel for Plaintiff via electronic mail on July 15, 2021, and Plaintiff opposes the motion.

/s/ Lance Wyatt
Lance Wyatt

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service are being served on this 15th day of July, 2021, with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(b)(1).

/s/ Lance Wyatt
Lance Wyatt